

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL M. RUSSELL,

Defendant.

4:12-CR-3042

ORDER

This matter is before the Court on the plaintiff's Motion for Order of Garnishment ([filing 118](#)). The Court will grant the plaintiff's motion.

On the plaintiff's motion, the Court previously ordered the Clerk of the Court to issue a writ of garnishment, *see filing 112*, and the Clerk of the Court did so on March 7, 2023. [Filing 113](#). The plaintiff provided notice of the garnishment to the defendant and the garnishee. [Filing 115](#); [filing 117](#). And the Clerk of the Court also provided notice of the garnishment to the defendant. [Filing 114](#). The garnishee answered on April 10, 2023, admitting that he had property in which the defendant has an interest. [Filing 116](#). The defendant has not objected to the answer or requested a hearing. *See 28 U.S.C. § 3205(c)(5)*. Accordingly, the Court will grant the plaintiff's motion.

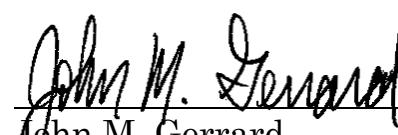
IT IS ORDERED:

1. The plaintiff's Motion for Order of Garnishment ([filing 118](#)) is granted.

2. The garnishee, Daniel J. Russell, Personal Representative to the Estate of Nancy M. Russell, shall turn over non-exempt property belonging to and due to the defendant, Michael M. Russell, as set forth in the writ of garnishment.
3. The garnishee's payment shall be made payable to the Clerk of the District Court, and delivered to the Clerk of the District Court, 111 South 18th Plaza, Suite 1152, Omaha, Nebraska, 68102, to be applied to the defendant's restitution balance.
4. The Clerk of the Court is directed to provide a copy of this order to the defendant, the garnishee, and the United States Attorney's Office.

Dated this 4th day of May, 2023.

BY THE COURT:



John M. Gerrard
Senior United States District Judge